

ESTTA Tracking number: **ESTTA1218669**

Filing date: **06/30/2022**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer information

Name	Paige, LLC		
Entity	limited liability company	Citizenship	California
Address	10119 JEFFERSON BOULEVARD CULVER CITY, CA 90232 UNITED STATES		
Attorney information	ROD S. BERMAN JEFFER MANGELS BUTLER & MITCHELL LLP 1900 AVENUE OF THE STARS, 7TH FLOOR LOS ANGELES, CA 90067 UNITED STATES Primary email: trademarkdocket@jmbm.com 3102038080		
Docket no.	66884-0264		

Applicant information

Application no.	90826196	Publication date	06/14/2022
Opposition filing date	06/30/2022	Opposition period ends	07/14/2022
Applicant	Bueckers, Paige 10900 WILSHIRE BLVD., 12TH FLOOR LOS ANGELES, CA 90024 UNITED STATES		

Goods/services affected by opposition

Class 025. First Use: None First Use In Commerce: None
All goods and services in the class are opposed, namely: Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms

Grounds for opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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Marks cited by opposer as basis for opposition

U.S. registration no.	5798838	Application date	11/15/2018
Register	Principal		
Registration date	07/09/2019	Foreign priority date	NONE
Word mark	PAIGE		

Design mark	
Description of mark	NONE
Goods/services	Class 035. First use: First Use: Nov 1, 2005 First Use In Commerce: Nov 1, 2005 Retail store services featuring clothing, footwear, apparel accessories, hand-bags, and jewelry

U.S. registration no.	3301653	Application date	07/08/2004
Register	Principal		
Registration date	10/02/2007	Foreign priority date	NONE
Word mark	PAIGE PREMIUM DENIM		
Design mark			
Description of mark	NONE		
Goods/services	Class 025. First use: First Use: Jan 15, 2005 First Use In Commerce: Jan 15, 2005 Clothing, namely jeans, pants, overalls, skirts, dresses, shirts, t-shirts, vests, jackets, coats, underwear, loungewear, sleepwear, scarves, belts, all of the foregoing of denim; headwear, namely hats, caps, and visors, all of the foregoing of denim		

U.S. registration no.	3308211	Application date	07/08/2004
Register	Principal		
Registration date	10/09/2007	Foreign priority date	NONE
Word mark	PAIGE		
Design mark			
Description of mark	NONE		
Goods/services	Class 018. First use: First Use: Feb 28, 2006 First Use In Commerce: Feb 28, 2006 satchels		


U.S. registration no.	3495555	Application date	01/30/2008
Register	Principal		
Registration date	09/02/2008	Foreign priority date	NONE

Word mark	PAIGE PREMIUM DENIM
Design mark	
Description of mark	The mark consists of a rectangular box with rough edges with the words "PAIGE PREMIUM DENIM" inside the box.
Goods/services	Class 025. First use: First Use: Sep 30, 2004 First Use In Commerce: Feb 1, 2005 Jeans

U.S. registration no.	3566793	Application date	02/20/2008
Register	Principal		
Registration date	01/27/2009	Foreign priority date	NONE
Word mark	PAIGE		
Design mark			
Description of mark	The mark consists of the word "PAIGE".		
Goods/services	Class 025. First use: First Use: Sep 30, 2004 First Use In Commerce: Feb 1, 2005 Jeans; Shorts; Skirts; Shirts		


U.S. registration no.	4046193	Application date	07/08/2004
Register	Principal		
Registration date	10/25/2011	Foreign priority date	NONE
Word mark	PAIGE		
Design mark			
Description of mark	NONE		
Goods/services	Class 025. First use: First Use: Jan 17, 2005 First Use In Commerce: Jan 17, 2005 Clothing, namely, jeans, pants, leggings, skirts, dresses, shirts, t-shirts, tank tops, jackets		

U.S. registration no.	4128766	Application date	08/23/2011
Register	Principal		
Registration date	04/17/2012	Foreign priority date	NONE
Word mark	PAIGE		

Design mark	
Description of mark	NONE
Goods/services	Class 025. First use: First Use: Sep 16, 2005 First Use In Commerce: Sep 16, 2005 Shorts

U.S. registration no.	4237703	Application date	04/19/2012
Register	Principal		
Registration date	11/06/2012	Foreign priority date	NONE
Word mark	PAIGE		
Design mark			
Description of mark	NONE		
Goods/services	Class 025. First use: First Use: Apr 27, 2011 First Use In Commerce: Apr 27, 2011 Shoes		

U.S. registration no.	4289790	Application date	08/17/2011
Register	Principal		
Registration date	02/12/2013	Foreign priority date	NONE
Word mark	PAIGE DENIM CO. LOS ANGELES		

Design mark	
Description of mark	The mark consists of a circle containing the wording "PAIGE DENIM" curving around the top of the circle with the word "CO." centered below the wording "PAIGE DENIM CO." and the wording "LOS ANGELES" curving around the bottom of the circle.
Goods/services	Class 025. First use: First Use: Dec 1, 2011 First Use In Commerce: Dec 1, 2011 Clothing and apparel made in whole or part of denim, namely, jeans, pants, bottoms, shorts, tops, jackets

U.S. registration no.	4898947	Application date	04/24/2012
Register	Principal		
Registration date	02/09/2016	Foreign priority date	NONE
Word mark	PAIGE		
Design mark			
Description of mark	NONE		
Goods/services	Class 018. First use: First Use: Nov 5, 2015 First Use In Commerce: Nov 5, 2015 leather and imitation leather accessories, namely, coin purses		

U.S. registration no.	5523189	Application date	11/20/2017
Register	Principal		
Registration date	07/24/2018	Foreign priority date	NONE
Word mark	PAIGE		

Design mark	
Description of mark	NONE
Goods/services	Class 018. First use: First Use: Nov 1, 2017 First Use In Commerce: Nov 1, 2017 Purses, all-purpose carrying bags, clutches, and handbags of leather, suede, imitation leather, and non-leather fabrics Class 025. First use: First Use: Nov 1, 2017 First Use In Commerce: Nov 1, 2017 Belts of leather, suede, imitation leather, and non-leather fabrics

U.S. registration no.	5682917	Application date	01/21/2016
Register	Principal		
Registration date	02/26/2019	Foreign priority date	NONE
Word mark	PAIGE		
Design mark			
Description of mark	NONE		
Goods/services	Class 004. First use: First Use: Jan 5, 2016 First Use In Commerce: Jan 5, 2016 Candles Class 025. First use: First Use: Jan 5, 2016 First Use In Commerce: Jan 5, 2016 Belts		

U.S. registration no.	6053489	Application date	12/05/2019
Register	Principal		
Registration date	05/12/2020	Foreign priority date	NONE
Word mark	PAIGE		
Design mark			
Description of mark	NONE		
Goods/services	Class 025. First use: First Use: Dec 3, 2019 First Use In Commerce: Dec 3, 2019 Socks		

U.S. registration no.	6694369	Application date	04/20/2016
Register	Principal		

Registration date	04/05/2022	Foreign priority date	NONE
Word mark	PAIGE		
Design mark			
Description of mark	NONE		
Goods/services	Class 009. First use: First Use: Feb 4, 2022 First Use In Commerce: Feb 4, 2022 Sunglasses; eyewear; eyewear accessories, namely, eyeglass cases		

Attachments	88196083#TMSN.png(bytes) 85404560#TMSN.png(bytes) 85400418#TMSN.png(bytes) 87691538#TMSN.png(bytes) 87007878#TMSN.png(bytes) Notice of Opposition - App No 90826196 - PAIGE BUCKETS.pdf(102280 bytes)
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Signature	/rod s. berman/
Name	Rod S. Berman
Date	06/30/2022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

PAIGE, LLC,

Opposer,

v.

PAIGE BUECKERS,

Applicant.

Opposition No. _____

Appl. Serial No.: 90/826,196

Mark: PAIGE BUCKETS

Published for Opposition: June 14, 2022

Atty. Ref. No.: 66884-0264

NOTICE OF OPPOSITION

Opposer, Paige, LLC, a California limited liability company, having its principal place of business located at 10119 Jefferson Boulevard, Culver City, California 90232 ("Opposer"), believes that it is and will be damaged by the registration of PAIGE BUCKETS on the Principal Register in connection with "Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms" in Int. Cl. 35. The mark PAIGE BUCKETS is the subject of App. Ser. No. 90/826,196, allegedly owned by Paige Bueckers ("Applicant"), a Illinois U.S. citizen, and Opposer hereby opposes registration thereof.

As grounds for this Opposition, it is alleged that:

1. Opposer has standing. Opposer is the owner of the mark PAIGE, and has used the PAIGE mark in connection with apparel and related goods and services since prior to July 13, 2021, the filing date of App. Serial No. 90/826,196.
2. Opposer is the owner of record of Registration No. 5,798,838 for the mark PAIGE in Class 35, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on November 15, 2018. This registration has not been revoked or cancelled.
3. Opposer is the owner of record of Registration No. 3,301,653 for the mark

PAIGE PREMIUM DENIM in Class 25, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on July 8, 2004. This registration has not been revoked or cancelled.

4. Opposer is the owner of record of Registration No. 3,308,211 for the mark PAIGE in Class 18, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on July 8, 2004. This registration has not been revoked or cancelled.

5. Opposer is the owner of record of Registration No. 3,495,555 for the mark PAIGE PREMIUM DENIM, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on January 30, 2008. This registration has not been revoked or cancelled.

6. Opposer is the owner of record of Registration No. 3,566,793 for the mark PAIGE in Class 25, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on February 20, 2008. This registration has not been revoked or cancelled.

7. Opposer is the owner of record of Registration No. 4,046,193 for the mark PAIGE in Class 25, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on July 8, 2004. This registration has not been revoked or cancelled.

8. Opposer is the owner of record of Registration No. 4,128,766 for the mark PAIGE in Class 25, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on August 23, 2011. This registration has not been revoked or cancelled.

9. Opposer is the owner of record of Registration No. 4,237,703 for the mark PAIGE in Class 25, and is also the owner of all common law rights in the mark, including all of

the business and goodwill connected therewith. This registration issued from an application filed on April 19, 2012. This registration has not been revoked or cancelled.

10. Opposer is the owner of record of Registration No. 4,289,790 for the mark PAIGE DENIM CO. LOS ANGELES in Class 25, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on August 17, 2011. This registration has not been revoked or cancelled.

11. Opposer is the owner of record of Registration No. 4,898,947 for the mark PAIGE in Class 18, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on April 24, 2012. This registration has not been revoked or cancelled.

12. Opposer is the owner of record of Registration No. 5,523,189 for the mark PAIGE in Classes 18 and 25, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on November 20, 2017. This registration has not been revoked or cancelled.

13. Opposer is the owner of record of Registration No. 5,682,917 for the mark PAIGE in Classes 4 and 25, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on January 21, 2016. This registration has not been revoked or cancelled.

14. Opposer is the owner of record of Registration No. 6,053,489 for the mark PAIGE in Class 25, and is also the owner of all common law rights in the mark, including all of the business and goodwill connected therewith. This registration issued from an application filed on December 5, 2019. This registration has not been revoked or cancelled.

15. Opposer is the owner of record of Registration No. 6,694,369 for the mark PAIGE in Class 9, and is also the owner of all common law rights in the mark, including all of

the business and goodwill connected therewith. This registration issued from an application filed on April 20, 2016. This registration has not been revoked or cancelled.

16. Opposer's "PAIGE" marks described in Paragraphs 2 through 15 above, and as reflected in Opposer's U.S. Reg. Nos. 5798838, 3301653, 3308211, 3495555, 3566793, 4046193, 4128766, 4237703, 4289790, 4898947, 5523189, 5682917, 6053489 and 6694369 are collectively referred to herein as "Opposer's Mark."

17. On information and belief, Applicant is the owner of record of trademark application Ser. No. 90/826,196 filed on July 13, 2021, for registration of the mark PAIGE BUCKETS ("Applicant's Mark") in standard characters for use in connection with "Athletic apparel, namely, shirts, pants, jackets, footwear, hats and caps, athletic uniforms" in Int. Cl. 25 ("Applicant's Goods").

18. Applicant's mark PAIGE BUCKETS so resembles Opposer's Mark as to be likely, when used in connection with the goods set forth in the Application, to cause confusion, or to cause mistake, or to deceive. Applicant's Mark, therefore, creates a confusingly similar commercial impression. Consumers will likely believe that Applicant's use of the mark PAIGE BUCKETS in connection with Applicant's Goods is in some way associated with, connected with, or sponsored, authorized, approved, or licensed by Opposer.

19. Applicant's Mark so resembles Opposer's Mark that it is likely to create a false designation of origin and false or misleading representation of fact that is likely to cause confusion, or to cause mistake, or to deceive as to an affiliation, connection, or association between Opposer and Applicant. Any objection or fault with the services offered in connection with Applicant's Mark may reflect upon and injure Opposer's reputation or the goodwill Opposer has established in Opposer's Mark.

20. If Applicant is granted the registration herein opposed, Applicant would thereby obtain at least a prima facie exclusive right to use of the mark PAIGE BUCKETS in

connection with Applicant's Goods as identified in application Serial No. 90/826,196. Such registration would be a source of damage and injury to Opposer.

WHEREFORE, and in accordance with Section 13 of the Trademark Act (15 U.S.C. § 1063), Opposer prays that this Opposition be sustained and that Application Serial No. 90/826,196 be refused registration.

Respectfully submitted,

Dated: June 30, 2022

/s/ Rod S. Berman
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